

NAVAL MISSION

*Exchange of notes at Washington January 27 and February 4, 1949,
amending and extending agreement of December 12, 1940, as
amended and extended*

*Entered into force February 4, 1949; operative from December 12,
1948*

63 Stat. 2547; Treaties and Other
International Acts Series 1944

The Secretary of State to the Ecuadorean Ambassador

DEPARTMENT OF STATE
WASHINGTON

Jan 27 1949

EXCELLENCY:

I have the honor to acknowledge the receipt of your note No. 284 of November 29, 1948 requesting the renewal of the Agreement entered into on December 12, 1940,¹ modified by an additional article on April 30, 1941² to run concurrently with the Agreement and renewed on two occasions for a period of two years each by an exchange of notes dated July 27 and August 22, 1944³ and June 17 and December 11, 1946,³ respectively, between the Governments of the United States of America and the Republic of Ecuador providing for a United States Naval Mission to Ecuador.

In your note of November 29 it was indicated that the Government of Ecuador desires to renew this agreement for a period of two years, the renewal to commence on the termination of the present agreement on December 12, 1948. It was also proposed that Article 4 contain the following subparagraph:

“(a) Upon request by the Government of Ecuador for the withdrawal of all personnel of the Mission, in the public interest of Ecuador, without the necessity of complying with subparagraph (a) of this Article.”

¹ EAS 188, *ante*, p. 349.

² EAS 206, *ante*, p. 359.

³ Not printed.

and that Article 9 be amended to read as follows:

“Article 9. Each member of the Mission shall discharge his duties in the Mission with the rank which he holds in the United States Navy, and shall wear the uniform of his rank in the United States Navy.”

The above-mentioned proposals were transmitted to the Department of the Navy and a reply has been received indicating that while that Department would be glad to extend the Naval Mission Agreement for the suggested period of two years, it would not be possible to include the above-quoted amendments. On the other hand, the Department of the Navy has requested that the additional Article signed on April 30, 1941 to the basic agreement of December 12, 1940 for the assignment of a United States Naval Mission to Ecuador be amended to read as follows:

“Each member of the Mission and his family shall be furnished by the Government of the Republic of Ecuador with first-class accommodations for travel, via the shortest usually traveled route, required and performed under this Agreement, between the port of embarkation in the United States of America and his official residence in Ecuador, both for the outward and for the return voyage. The Government of the Republic of Ecuador shall also pay all expenses of shipment of household effects, baggage and automobile of each member of the Mission between the port of embarkation in the United States of America and his official residence in Ecuador, as well as all expenses incidental to the transportation of such household effects, baggage and automobile from Ecuador to the port of entry in the United States of America. Transportation of such household effects, baggage and automobile shall be effected in one shipment, and all subsequent shipments shall be at the expense of the respective members of the Mission except as otherwise provided in this Agreement, or when such shipments are necessitated by circumstances beyond their control. Payment of expenses for the transportation of families, household effects and automobiles, in the case of personnel who may join the Mission for temporary duty at the request of the Ministry of Defense of the Republic of Ecuador, shall not be required under this Agreement, but shall be determined by negotiations between the Department of the Navy of the United States of America and the authorized representative of the Ministry of Defense of the Republic of Ecuador in Washington at such time as the detail of personnel for such temporary duty may be agreed upon.”⁴

In the event that the above proposal is acceptable to your Government, I shall consider this note and your response to that effect as completing the

⁴ For an amendment in the payment and benefit procedures under the additional article, as amended, see agreement of Feb. 25 and May 22, 1959 (10 UST 1095; TIAS 4249).

Agreement between the two Governments for the renewal of the Agreement of 1940 in accordance with Title I, Article 3.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:

JOHN E. PEURIFOY

His Excellency

Señor DON AUGUSTO DILLON,
Ambassador of Ecuador.

The Ecuadorean Ambassador to the Secretary of State

[TRANSLATION]

EMBASSY OF ECUADOR
WASHINGTON

No. 34

FEBRUARY 4, 1949

EXCELLENCY:

With reference to the courteous note of the Department of State dated January 27 last, and to my note in reply thereto dated February 3, 1949, I have the honor to inform Your Excellency that in a cabled communication my Government instructs me to inform the United States Government that it accepts the extension of the contract which it has with the United States Naval Mission, incorporating in the said contract the additional clause proposed by the Navy Department.

I avail myself of the opportunity to renew to Your Excellency the expression of my highest and most distinguished consideration.

A. DILLON

Ambassador of Ecuador

His Excellency

DEAN ACHESON
Secretary of State
Washington, D.C.